



# PUBLIC NOTICE

**Federal Communications Commission**  
**445 12<sup>th</sup> St., S.W.**  
**Washington, D.C. 20554**

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**DA 11-342**  
**Released: February 23, 2011**

## **COMMENTS INVITED ON APPLICATION OF AZTECH COMMUNICATIONS, LLC TO DISCONTINUE DOMESTIC TELECOMMUNICATIONS SERVICES**

**WC Docket No. 11-31**  
**Comp. Pol. File No. 978**

**Comments Due: March 10, 2011**

### **Section 214 Application**

**Applicant: Aztech Communications, LLC**

On **January 25, 2011**, **Aztech Communications, LLC** (Aztech or Applicant), located at **1297 Boundary Cone Rd., Suite F, Mohave Valley, AZ 86440**, filed an application with the Federal Communications Commission (FCC or Commission) requesting authority, under section 214 of the Communications Act of 1934, as amended, 47 U.S.C. § 214, and section 63.71 of the Commission's rules, 47 C.F.R. § 63.71, to discontinue the provision of certain domestic telecommunications services in Arizona.<sup>1</sup> By an amendment filed February 22, 2011, Aztech corrected certain deficiencies in its initial application and updated the record regarding notice to customers. Accordingly, Aztech's application is deemed complete as of February 22, 2011.<sup>2</sup>

Aztech indicates that it currently provides local and long distance services as a reseller and facilities based provider in Mohave County, Arizona (Service Area). Aztech explains, however, that its management has decided to pursue other business interests and dissolve the company in order to exit the industry. Aztech maintains that it plans to discontinue the provision of all affected local and long distance services in the Service Area on February 20, 2011, subject to regulatory approval. Aztech indicates that it originally sent letters to customers dated January 11, 2011 in order to notify them of its plans to discontinue services on February 20, 2011. Aztech asserts that, on February 11, 2011, it later mailed corrected notices in compliance with section 63.71 of the Commission's rules. Aztech states that it is non-dominant with respect to the services it proposes to discontinue.

In accordance with section 63.71(c) of the Commission's rules, Aztech's application will be deemed to be granted automatically on the 31st day after the release date of this public notice, unless the Commission notifies Aztech that the grant will not be automatically effective. In its application and notice to customers, Aztech indicates that it plans to discontinue services on February 20, 2011, subject to

<sup>1</sup> Aztech's application was subsequently received in the Competition Policy Division of the Wireline Competition Bureau on February 3, 2011.

<sup>2</sup> Aztech's application also was determined to be in red light status, but Aztech has since completed payment of outstanding debts in order to clear its red light status.

regulatory approval. Accordingly, pursuant to section 63.71(c) and the terms of Aztech's application and notice, absent further Commission action, Aztech may terminate all affected services in the Service Area on or after **March 26, 2011**. The Commission normally will authorize proposed discontinuances of service unless it is shown that customers or other end users would be unable to receive service or a reasonable substitute from another carrier, or that the public convenience and necessity would be otherwise adversely affected.

This proceeding is considered a "permit but disclose" proceeding for purposes of the Commission's ex parte rules, 47 C.F.R. §§ 1.1200-1.1216. Comments objecting to this application must be filed with the Commission on or before **March 10, 2011**. Such comments should refer to **WC Docket No. 11-31 and Comp. Pol. File No. 978**. Comments should include specific information about the impact of this proposed discontinuance on the commenter, including any inability to acquire reasonable substitute service. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies. *See Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998). Comments filed through the ECFS can be sent as an electronic file via the Internet to <http://www.fcc.gov/cgb/ecfs/>. Filers should follow the instructions provided on the Web site for submitting comments. Generally, only one copy of an electronic submission must be filed. In completing the transmittal screen, filers should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions for e-mail comments, filers should send an e-mail to [ecfs@fcc.gov](mailto:ecfs@fcc.gov), and include the following words in the body of the message, "get form." A sample form and directions will be sent in response.

Parties who choose to file by paper must file an original and four copies of each filing. Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission. All hand-delivered or messenger-delivered paper filings for the Commission's Secretary must be delivered to FCC Headquarters at 445 12th Street, S.W., Room TW-A325, Washington, D.C. 20554. The filing hours are Monday through Friday, 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building. Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class, Express, and Priority mail must be addressed to 445 12th Street, S.W., Washington, D.C. 20554.

Two copies of the comments should also be sent to the Competition Policy Division, Wireline Competition Bureau, Federal Communications Commission, 445 12th Street, S.W., Room 5-C140, Washington, D.C. 20554, Attention: Carmell Weathers. In addition, comments should be served upon the Applicant. Commenters are also requested to fax their comments to the FCC at (202) 418-1413, Attention: Carmell Weathers.

The application will be available for public inspection and copying during regular business hours at the FCC Reference Center, Portals II, 445 12th Street, S.W., Room CY-A257, Washington, D.C. 20554, (202) 418-0270. A copy of the application may also be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554, telephone (202) 488-5300, facsimile (202) 488-5563, or via e-mail at [FCC@BCPIWEB.COM](mailto:FCC@BCPIWEB.COM). People with Disabilities: To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an e-mail to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Consumer & Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (tty).

For further information, contact Carmell Weathers, (202) 418-2325 (voice), [carmell.weathers@fcc.gov](mailto:carmell.weathers@fcc.gov), or Rodney McDonald, (202) 418-7513 (voice), [rodney.mcdonald@fcc.gov](mailto:rodney.mcdonald@fcc.gov), of the Competition Policy Division, Wireline Competition Bureau. The tty number is (202) 418-0484. For further information on procedures regarding section 214 please visit [http://www.fcc.gov/wcb/cpd/other\\_adjud](http://www.fcc.gov/wcb/cpd/other_adjud).

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